

(2) A controlled materials producer must use the program identification symbol H3 on rated orders to obtain controlled materials for further conversion needed for production or inventory replacement.

(3) A controlled materials distributor must use the program identification symbol H4 on rated orders to obtain controlled materials needed to fill rated orders, or to replace in inventory, controlled materials used to fill rated orders.

(e) *Controlled materials shipments and requirements data.* (1) Controlled materials producers and distributors are required to maintain and submit to Commerce upon request, data on shipments against rated and unrated orders and on related activities [OMB Nos. 0625–0107 (Recordkeeping), 0625–0011 (Copper), 0625–0016 (Aluminum), 0625–0017 (Steel), and 0625–0021 (Nickel Alloys)].

(2) Persons performing against rated orders must provide, upon request of the appropriate Delegate Agency or the prime contractor, data on requirements for controlled materials needed to fill rated contracts for items manufactured to authorized program specifications or used in construction for authorized programs [OMB Nos. 0625–0107 (Recordkeeping) and 0625–0013 (Controlled Materials Requirements—Production, Construction, or Research and Development)]. Prime contractors may request this information from their subcontractors only when needed to satisfy a request for requirements data from a Delegate Agency.

## Subpart G—Critical Items

### § 700.40 General provisions.

(a) From time-to-time Commerce may determine that certain items have a critical importance to industrial production with respect to the national defense and authorized programs. Special rules for such items are set forth in this subpart.

(b) Commerce may establish special rules as needed to ensure that critical items are available to authorized programs in a timely fashion and to provide for an equitable and orderly distribution of requirements for such items among all suppliers of the items.

### § 700.41 Metalworking machines.

(a) “Metalworking machines” include power driven, manual or automatic, metal cutting and metal forming machines and complete machines not supported in the hands of an operator when in use. Basic machines with a list price of \$2,500 or less are not covered by this section.

(b) Metalworking machines covered by this section include:

- Bending and forming machines
- Boring machines
- Broaching machines
- Drilling and tapping machines
- Electrical discharge, ultrasonic and chemical erosion machines
- Forging machinery and hammers
- Gear cutting and finishing machines
- Grinding machines
- Hydraulic and pneumatic presses, power driven
- Machining centers and way-type machines
- Manual presses
- Mechanical presses, power driven
- Milling machines
- Miscellaneous machine tools
- Miscellaneous secondary metal forming and cutting machines
- Planers and shapers
- Polishing, lapping, boring, and finishing machines
- Punching and shearing machines
- Riveting machines
- Saws and filing machines
- Turning machines, lathes, including automatic
- Wire and metal ribbon forming machines

(c) A metalworking machine producer is not required to accept DO rated orders calling for delivery in any month of a total quantity of any size of machine in excess of 60 percent of scheduled production of that size of machine for that month, or any DO rated orders received less than three months prior to the beginning of the month for which delivery is requested. However, DX rated orders must be accepted without regard to a set-aside or the lead time, if delivery can be made by the required date.

## Subpart H—Special Priorities Assistance

### § 700.50 General provisions.

(a) The DPAS is designed to be largely self-executing. However, it is anticipated that from time-to-time problems will occur. In this event, a person